

Attorney Docket No.: 6809.230-US
Application Serial No.: 10/768,371
Filed: January 30, 2004
Inventors: Gonda et al.
Via Fax No.: 703-872-9306

REMARKS

The independent claims have all been amended to require that the patient being treated with applicants' claimed method be unable to maintain an adequate blood glucose level absent a medical treatment. Claim 7 is now limited to type II diabetes. None of these limitations are present in the references cited in the prior art when read in combination. In the previous Office Action, the Examiner asserted that inhaling powdered insulin to treat diabetes would be obvious in view of Laube, Weiner, and or Blackstrom. However, when read together, nothing in the combined reading of these documents suggests that a diabetic who is unable to control blood glucose levels without medical treatment would be able to inhale powdered insulin in a manner that allows for the blood glucose levels to be controlled, let alone in a type II diabetic.

It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the above amendments and the following remarks is requested.

Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Commissioner is hereby authorized to charge any fees in connection with this application and to credit any overpayments to Deposit Account No. 14-1447. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

Date: April 1, 2005



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